

HOUSE BILL 3161

By DeBerry J

AN ACT to amend Tennessee Code Annotated, Title 71,  
Chapter 3, Part 5, relative to programs and  
services for children.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 71-3-502(a), is amended by adding the following language as new, appropriately designated subdivisions:

(6) Notwithstanding any law, rule or regulation to the contrary, a child shall not be provided instruction in personal safety related to the prevention of child sexual abuse by any child care center or agency otherwise required by law or rule to provide such instruction, unless and until the instructional materials have been made available by the child care provider for review by the parent or guardian at their option, and the parent or guardian of the child has voluntarily acknowledged consent to such instruction by signing a consent form provided by the child care provider authorizing the instruction of the child by the child care provider in personal safety related to the prevention of child sexual abuse.

(7) The department shall develop a standard consent form to be provided to the parent or guardian by the child care center or agency. The consent form shall contain the following information:

(A) The method of instruction and the specific terminology used in the child sexual abuse curriculum;

(B) The availability of the instructional materials for review by the parent or guardian; and

(C) Both an option to give or refuse consent to the personal safety instruction.

(8) The department of human services is expressly authorized and directed to implement by public necessity rules, effective October 1, 2008, any of the provisions of this act applicable to child care agencies subject to its authority; provided, any permanent rules shall be promulgated pursuant to the Uniform Administrative Procedures Act compiled in title 4, chapter 5.

SECTION 2. The department of human services shall make available to child care providers licensed by the department a curriculum guideline in any suitable format addressing personal safety containing a component related to the prevention of child sexual abuse and shall allow child care providers licensed by the department to choose terminology and instructional methods which accomplish the goal of providing clear, effective and appropriate instruction in personal safety.

SECTION 3. This act shall take effect upon becoming law for rulemaking purposes, the public welfare requiring it, and upon October 1, 2008 for all other purposes, the public welfare requiring it.